

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER REDFORD
COMMISSIONER RAPER
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: DAPHNE HUANG
DEPUTY ATTORNEY GENERAL

DATE: FEBRUARY 19, 2015

SUBJECT: PACIFICORP'S APPLICATION FOR APPROVAL OF THE FIRST
AMENDMENT TO ITS POWER PURCHASE AGREEMENT WITH ST.
ANTHONY HYDRO, LLC, CASE NO. PAC-E-15-02

On February 13, 2015, PacifiCorp dba Rocky Mountain Power (the Company) filed an Application asking the Commission to approve the First Amendment to the Power Purchase Agreement (PPA) between the Company and St. Anthony Hydro, LLC (together, the Parties). The Commission originally approved the PPA on July 31, 2013. Order No. 32865. Under that PPA, St. Anthony Hydro operates the hydroelectric facility (the Facility) in St. Anthony, Idaho, generating electric power with a capacity rating of 700 kilowatts. Application at 2.

In the Amendment, the Parties agree that icing, when within the immediate water source and as the primary basis for reducing energy production, is a force majeure event. Also, the Parties agree to changes in the power delivery schedule. The Parties ask that the Application be processed by Modified Procedure. Staff recommends that the Application be processed by Modified Procedure with a 21-day notice and comment period, and a 7-day reply comment period. *See* IDAPA 31.01.01.201-204.

COMMISSION DECISION

Does the Commission wish to issue a Notice of Application and Notice of Modified Procedure establishing a 21-day comment period, followed by a 7-day reply comment period?

Daphne Huang
Daphne Huang
Deputy Attorney General